

Sanpete County Planning Commission

September 10, 2008
6:30 P.M.

Present: Dale Lewis
Steve Anderson
Gene Jacobsen
Joseph Scholes

Lee Holmstead, County Zoning Administrator
Selma Jorgensen, Deputy Clerk

Meeting called to order by Dale Lewis.

ZONING ADMINISTRATOR LEE HOLMSTEAD REVIEW OF AGENDA

Zoning Administrator Lee Holmstead is present and reviews the agenda items.

APPROVAL OF MINUTES

Motion is made by Gene Jacobsen to approve the Planning Commission Minutes of August 13, 2008. Motion seconded by Joseph Scholes, the motion passed.

T-MOBILE'S REQUEST FOR A CONDITIONAL USE PERMIT TO INSTALL A TOWER ON PROPERTY LOCATED ON THE MOUNTAINVILLE ROAD NORTH EAST OF MT. PLEASANT

Matt Hodgen is present. Mr. Holmstead reviewed T Mobile's request to install 3 towers in Sanpete County. One is in a city that they will need to take care of there, the other is an existing tower just north of Moroni. The third is located in the county on the Mountainville Road north-east of Mt. Pleasant. The tower will be 196 feet high. Mr. Hodgen provided a picture (map) of what the tower would look like and where it would be located. No one present to object. Mr. Hodgen explained that any wireless company may use the tower. Motion is made by Steve Anderson to approve the Conditional use permit for T-Mobile to build a tower, with conditions: to observe all safety rules, restore any damaged property, and comply with agreement made. Gene Jacobsen seconded the motion. Motion passed.

ROBIN B. DAVIS'S REQUEST FOR APPROVAL OF A 4-LOT SUBDIVISION (WEST SUBDIVISION) LOCATED SOUTH EAST OF FAIRVIEW.

Mr. Davis is present. Mr. Holmstead reviewed Mr. Davis' request for three 4-lot subdivision. Two of the subdivisions, Nathanael and RB Davis, have already been approved on August 13, 2008, and Mr. Davis presented them to the County Commissioners. There was a question about the lot-line, but that problem was resolved. Mr. Davis provided a mylar. The road superintendent did observe this area and two culverts will need to be installed. Questions were asked about the way the property is set up. Ralph Bench and Kendal Reeser, members of the audience, asked questions about the road and fire hazard. Mr. Holmstead explained that the road is county owned, Mr. Davis would not be responsible for this road. Mr. Reeser also made a comment about what zone the property is in. Mr. Jacobsen related what kind of fire hydrant he has on one of his properties. Mr. Davis stated that he likes that idea and will consider this.

Motion is made by Gene Jacobsen to approve the conditional use permit for this subdivision. Joseph Scholes seconded the motion. Motion passed.

ALTA TERRA RANCH, LLC, REQUEST FOR A CONDITIONAL USE PERMIT FOR A RESERVOIR DAM LOCATED 1.5 MILES NORTH WEST OF FAIRVIEW ON THE DEVILS PASS WATER COMPANY'S PROPERTY.

Leon Day is present. Mr. Holmstead reviewed Mr. Day's request for a Conditional Use Permit to build a reservoir dam. It is located 1.5 miles north-west of Fairview on the Devils Pass Water Company property in the A Zone. The dam will hold approximately 2 acre-foot of water. Leon Day explained that he has talked with Clyde Mortensen, adjacent property owner. More questions were asked about the location of the pond and how it would affect neighbors, especially Clyde Mortensen. Gene Jacobsen made a motion to pass the conditional use permit. Steve Anderson seconded motion. Motion passed.

RICK HOWE AND DAWN PETERSON'S REQUEST FOR RENEWAL OF AN EXISTING CONDITIONAL USE PERMIT ON THE BLUE SAGE YOUTH HOME LOCATED SOUTH OF MANTI.

Rick Howe and Dawn Peterson present. Mr. Holmstead reviewed their request to renew an existing conditional use permit for a youth home north of Manti. Mr. Holmstead explained that Ms. Peterson attended the meeting on August 13, 2008, but matter was tabled. The original permit was approved on October 24, 2005 for 12 youth. The State of Utah recalled the license for charges that were filed against the facility. These charges were dismissed on June 20, 2008. They would like to change the name of the home to Mountain Valley Youth Services. Ms. Peterson stated that Rick Howe could not appear, but could be reached by phone. She stated that the youth were pulled from the home, but the license was not suspended. The youth were pulled because of allegations made against Kelly Husbands, former co-owner of the facility. Ms. Peterson provided a copy of an order dismissing the allegations made against Mr. Husbands. Gene Jacobsen read a document provided by Ms. Peterson. Gene Jacobsen expressed concerns about the owner not being here tonight. Commissioner Mark Anderson is present, and stated that he talked with Mr. Howe on the phone and told him that if he could not be present then he could be present by phone. Dale Lewis explained that they wanted the previous owner present because of the sensitive nature of the issue. Gene Jacobsen expressed that he feels that they ought to be able to speak to the owner, stating that they need to know why the youth home was closed. Ms. Peterson called Mr. Howe. Gene Jacobsen explained why they wanted Mr. Howe here tonight. He asked him why Blue Sage Youth Home lost their license. Mr. Howe stated that they did not lose their license, he explained that allegations were filed against the home, DCFS investigated and placed the youth elsewhere because of the investigation. Mr. Jacobsen asked about training that will be provided. Mr. Howe explained. More discussion ensued. Steve Anderson asked if there have been any complaints against this home in the past. Mr. Howe explained that there has not been any complaints. Candace Sanders from the audience asked how much participation will Mr. Howe have when he has another job. Mr. Howe explained that he will not be there much, and that is why Dawn Peterson is there. Ms. Sanders asked questions of Ms. Peterson.

Commissioner Mark Anderson made comments concerning Rick Howe and the history of his role in this youth home, etc. Gene Jacobsen made a motion to approve the conditional use permit with the following conditions: Kelly Husbands is to have no involvement with the facility in any matter, that management report personnel and provide corporate documents stating ownership each year. Joseph Scholes seconded the motion. Motion passed.

ROSS BLACKHAM, SANPETE COUNTY ATTORNEY, DISCUSSION CONCERNING YOUTH HOMES IN THE COUNTY, AND THE LOT-LINE ADJUSTMENT AMENDMENT

Sanpete County Attorney, Ross Blackham is excused from the meeting tonight. Commissioner Mark Anderson explained why Ross Blackham could not be present. Commissioner Anderson explained that based on what the Planning Commission wants and the discussion they had at the Commissioner's Meeting, and the decision to not issue a moratorium on youth homes because of liability issues, the instruction from the Commission was to have Sanpete County Attorney draft a re-write the ordinance as quickly as possible and have a focus group review the ordinance. Mr. Blackham has a preliminary draft of the ordinance that he will provide to the focus group this week, they can review it, then it would be on the next Planning Commission Agenda. Gene Jacobsen expressed some concerns that he has concerning a building he is building and what he has to do to meet the requirements. Commissioner Mark Anderson expressed his feelings about these youth homes being "businesses" vs "residences" and the report that he has received from County Attorney Ross Blackham concerning the "Fair Housing Act". More discussion ensued.

With no further business before the Planning Commission, motion to adjourn is made by Dale Lewis. Motion seconded by Joseph Scholes, motion passed.

The meeting adjourned at 8:30 P.M.